

Message Text

UNCLASSIFIED

PAGE 01 HERMOS 00110 122142Z

42

ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 L-02 SCA-01 CPR-01 /015 W

----- 120615

R 112230Z APR 75

FM AMCONSUL HERMOSILLO

TO SECSTATE WASHDC 669

INFO AMEMBASSY MEXICO

AMCONSUL MONTERREY

UNCLAS HERMOSILLO 110

E.O. 11652: N&A

TAGS : CASC, MX

SUBJECT : OFFICIAL REPRESENTATIONS TO MEXICAN AUTHORITIES
IN CASES OF MALTREATMENT OF AMERICAN PRISONERS

REF: STATE 080101

1. POST CONFIRMS THAT IT FOLLOWS PROCEDURE OUTLINED PARA

1(A) REFTEL.

2. POST HAS FOLLOWING COMMENTS RE PARAS 1(B), 1(C), AND 1(D)

REFTEL: OVER 90 PERCENT AMERICAN ARRESTEES IN SONORA ARE INVOLVED
IN SOME WAY WITH DRUGS AND THUS ARRESTED BY MEXICAN FEDERAL
AUTHORITIES. DESPITE FOREIGN OFFICE NOTE 217442 TO EMBASSY
MEXICO DATED JULY 26, 1974, ASSURING EMBASSY THAT APPROPRIATE
INSTRUCTIONS HAVE BEEN GIVEN TO THE COMPETENT AUTHORITIES
IN MEXICO TO ENSURE THAT CONSULAR OFFICERS BE NOTIFIED IMMEDIATELY
OF THE ARREST, DETENTION, OR IMPRISONMENT OF AMERICAN CITIZENS,
WE ARE NOT ALWAYS INFORMED. INSTEAD, WE LEARN OF THE ARRESTEE
FROM NEWSPAPER ARTICLES, TELEPHONE CALLS FROM FRIENDS, OR
RELATIVES IN THE U.S., OR THE DEPARTMENT ITSELF. WE HAVE BROUGHT
THIS SITUATION TO THE FORMAL ATTENTION OF THE FEDERAL DISTRICT
ATTORNEYS IN HERMOSILLO, NOGALES, CIUDAD OBREGON, AND SAN LUIS
(RIO COLORADO) AND THE ATTORNEY GENERAL OF SONORA STATE. WE
SHARE MONTERREY'S VIEW, HOWEVER, THAT IF THE ARRESTEE NOT
REQUESTED ACCESS TO CONSULAR OFFICER A PROTEST CANNOT PROPERLY
BE BASED ON EITHER US/MEXICAN CONSULAR CONVENTION OR VIENNA
CONVENTION. CASES INVOLVING PRETRIAL DETENTION OVER ONE YEAR
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 HERMOS 00110 122142Z

HAVE ALWAYS BEEN REPORTED TO EMBASSY PERIODICALLY FOR INCLUSION

IN EMBASSY NOTE TO FOREIGN OFFICE. ONLY A FEW CASES INVOLVING COMPLAINTS OF MISTREATMENT AND/OR TORTURE HAVE ARISEN HERE WHICH WERE PROMPTLY REPORTED TO EMBASSY, DEPARTMENT, AND THE HIGHEST POSSIBLE STATE AUTHORITY, THE GOVERNOR OF SONORA. ANY FUTURE COMPLAINTS WILL BE HANDLED IN THE SAME MANNER. WITH REGARD TO POST ARRANGING OUTSIDE DOCTOR TO EXAMINE PRISONER IN ALLEGED PHYSICAL ABUSE/TORTURE CASES, THIS HAS BEEN DONE ONLY ON ONE OCCASION IN PAST AT REQUEST

AND EXPENSE OF PRISONER'S WIFE. WE NOT AWARE OF ANY PROVISION FOR EXPENDITURE GOVERNMENT FUNDS SUCH PURPOSES, BUT IF FUNDS INDEED ARE AVAILABLE, POSTS SHOULD BE INSTRUCTED RE PROCEDURE TO DISBURSE THEM.

3. WITH REGARD PARA 1(E) REFTTEL, WE DO NOT UNDERSTAND PURPOSE OF CREATING A CHRONOLOGICAL FILE OF EACH INCIDENT, SINCE FULL REPORT THEREOF IS PREPARED AND FILED IN PRISONER'S NAME FILE. WITH OUR SMALL STAFF OF ONLY ONE LOCAL PROTECTION/WELFARE ASSISTANT AND ONE CONSULAR OFFICER WHO ALSO PERFORMS MANY OTHER CONSULAR FUNCTIONS, CREATION AND MAINTENANCE OF CHRONOLOGICAL FILE IN ADDITION TO SUBJECT FILE APPEARS TO BE UNNECESSARY EXTRA CLERICAL BURDEN. WITH OVER 100 AMERICANS IN JAIL IN SONORA AND CONTINUING NEW ARRESTS OUR SMALL STAFF ALREADY HARD PRESSED TO KEEP UP WITH MORE IMPORTANT ASPECTS THEXSE CASES.

4. POST UNCLEAR WITH REGARD PARA 2 REFTTEL. HOW CAN POST EVALUATE OR MAKE RECOMMENDATIONS CASES WHERE ATTORNEYS, HIRED BY PRISONERS THEMSELVES, OVERCHARGE OR MAKE FALSE PROMISES REMOVE HIM OF COURSE. BUT OFTEN THESE CULPRITS ARE NOT KNOWN TO POST NOR ON OUR LIST. PRECISELY WHAT ACTION DOES DEPARTMENT COMTEMPLETE POST SHOULD TAKE IN SUCH SITUATION?
STELLMACHER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Draft Date: 11 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975HERMOS00110
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750128-0872
From: HERMOSILLO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750459/aaaaccmb.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 080101
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 29 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <29 SEP 2003 by SilvaL0>; APPROVED <02 JAN 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: : OFFICIAL REPRESENTATIONS TO MEXICAN AUTHORITIES IN CASES OF MALTREATMENT OF AMERICAN PRISONERS
TAGS: CASC, SHUM, MX, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006